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ARTICLE

Apocryphal Cicero: John Toland's *Cicero Illustratus* and Notions of Authority in the Early Enlightenment

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Introduction

In 1712 John Toland, a man who had gained notoriety as the writer of radical and heterodox works, broke out of his established intellectual sphere to produce a work of Ciceronian scholarship, entitled *Cicero illustratus*.[1] This treatise outlined in detail Toland's plans for a new edition of Cicero's complete works, in the hopes that funding for the project might be won from *Cicero illustratus*' addressee, Prince Eugene of Savoy. Across a series of articles Toland explained how he proposed to tackle the various responsibilities of the editor: the form of the book, the presentation, criticism, and annotation of the text, the prefatory life of the author, the indices to be included, and so on. Nestled in amongst these discussions, in the three page long fifteenth chapter of *Cicero illustratus*, is a consideration of eleven of the spurious works which survived in the Ciceronian tradition, together with

[1] J. Toland, *Cicero illustratus, dissertatio philologico-critica: sive consilium de toto edendo Cicerone, alia plane methodo quam hactenus unquam factum*, London, 1712. The edition described was never actually completed by Toland. John Toland (1670-1722) was an Irish radical freethinker, who made a name for himself in London as a political pamphleteer on behalf of the Whigs, an editor of the works of the seventeenth century Republicans, and a very vocal critic of the Church, in particular the power allotted to the clergy. See J. Champion, *Republican Learning: John Toland and the Crisis of Christian Culture*, Manchester, 2003; M. Brown, *A Political Biography of John Toland*, London, 2012; S. H. Daniel, *John Toland: his Methods, Manners, and Mind*, Kingston, 1984; R. E. Sullivan, *John Toland and the Deist Controversy: a Study in Adaptations*, Cambridge MA, 1982.

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Toland's judgement of which of these would be included in the edition.[2] The number of the works yields no surprise; after all, the tendency for imitating Cicero and attributing works to him incorrectly had been sufficiently prevalent even in Cicero's life time to invite his joke that 'for my own part, if I am credited with an epigram which I think clever and worthy of a scholar and a gentleman of sense, I make no objection; but I take umbrage when I am reputed to have uttered words which are unworthy of me and belong to others'.[3] Rather, what makes Toland's discussion interesting is its accounting of his decision, as editor, to include a series of works in his edition which he openly acknowledges, even sets out to prove, as spurious, encouraging their perpetuation within the Ciceronian tradition. Consequently, these passages offer an insight into the complex relationship between spuria, authority, and scholarship in the early eighteenth century.

The valuable resource presented by false works has been increasingly appreciated in modern scholarship, shifting the attitude from identification and explanation of a forgery's provenance, to examining its value as an independent work.[4] Anthony Grafton laid the groundwork with his *Forgers and Critics* in 1991, in which he demonstrated that the dialectical relationship between the creation of forgeries and legitimate scholarship allowed those forgeries to become useful evidence for the scholarship of a particular period.[5] The idea that false works might be instructive has evolved ever since, with these works being utilised to investigate the cultural, intellectual, and social contexts in which they were created.[6] Extending this, their reception and survival beyond that initial creation also have the potential to be revealing regarding the scholarly attitudes and methods which permitted their continued existence. In the case of Toland's *Cicero illustratus*, the obvious question asks why in a period of great philological and critical development, during which the identification and expulsion of false works from the canon was seemingly one of the primary endeavours of scholarship, Toland should wish to preserve clearly spurious works in the canon. What did Toland hope to achieve through this

[2] Toland, *Cicero illustratus* (n. 1 above), pp. 32-5. These spurious texts are: *Rhetorica ad Herennium*; the Sallustian *Invectives*; *Oratio ad populum et equites antequam iret in exilium*; *Epistola ad Octavium*; the *Consolatio*; *Oratio pro Marco Valerio*; *Liber de synonymis ad L. Victurium*; *Orpheus, sive De adolescente studioso*; *Tironis notae tachygraphicae*; *De memoria artificiali libellus*; *Oratio Graeca de pace*.

[3] Cicero, *Pro Plancio*, 36: 'ego autem, si quid est, quod mihi scitum esse videatur, et homine ingenuo dignum atque docto, non aspernor; stomachor vero, cum aliorum non me digna in me conferuntur' [translated by N. H. Watts, Cambridge MA, 1923].

[4] The cultural influence of forgeries has been examined by B. D. Ehrman, *Forgery and Counterforgery: the Use of Literary Deceit in Early Christian Polemics*, Oxford, 2013; W. L. Joyce, 'The Scholarly Implications of Documentary Forgeries', in *Forged Documents*, ed. P. Bozeman, New Castle, 1990, pp. 37-48; I. Haywood, *The Making of History: a Study of the Literary Forgeries of James MacPherson and Thomas Chatterton in Relation to Eighteenth-Century Ideas of History and Fiction*, London, 1986; P. Baines, 'Literary Forgery and the Ideology of Detection', *Studies on Voltaire*, 303, 1992, pp. 597-600.

[5] This is an understanding of forgery developed by A. Grafton, *Forgers and Critics: Creativity and Duplicity in Western Scholarship*, London, 1990; cf. G. Bagnani, 'On Fakes and Forgeries', *Phoenix*, 14, 1960, pp. 228-44.

[6] See in particular *Fakes and Forgers of Classical Literature: Ergo Decipiatur!*, ed. J. Martínez, Leiden, 2014; F. Santangelo, 'Authoritative Forgeries: Late Republican History Re-Told in Pseudo-Sallust', *Histos*, 6, 2012, pp. 27-51.

engagement with spuria? By examining Toland's treatment of Ciceronian spuria in *Cicero illustratus*, my intention is to consider what this interaction reveals about the values placed on false works at the beginning of the eighteenth century. Moreover, what does Toland's editorial intervention demonstrate about his own attitude toward the relationship between falsity and authority in scholarship?

In order to achieve this, this article will first examine the spurious works themselves, addressing Toland's attempt to forge something akin to a canon of Ciceronian spuria as he selected certain works for inclusion in his edition, while rejecting others as unsuitable. This will provide the opportunity to uncover which spurious works maintained a presence in the Ciceronian tradition, and how they managed to survive into the eighteenth century, while also establishing Toland's attitude towards the individual texts discussed. After the canon itself has been established, Toland's strategies as an editor for justifying the inclusion of certain spurious works in his edition will be considered. To this end, it will be the values he identified in those spurious works which will be considered, hence the reasons he offered as editor for his decisions. In this way, I intend to show that Toland's brief engagement with the Ciceronian spuria in *Cicero illustratus* was an exercise in the construction of editorial authority, as Toland exploited this interaction with the false works to endorse his own position.

Toland's Spurious Canon

As noted, this chapter of *Cicero illustratus* is in essentials a catalogue of the spurious works which had been attributed to Cicero across the tradition. Toland identifies the relevant works in turn, establishes whether he proposes to include said work in his planned edition, before offering a brief summation of the basis of his decision for each work. In this way Toland's canon of Ciceronian spuria is identified.[7] In the construction of this canon Toland depended not only on the texts themselves, or at least those which had survived in the Ciceronian tradition, but also on the work of the distinguished German philologist Johann Albert Fabricius.[8] A prominent classical scholar, Fabricius's most notable contribution was as a bibliographer, compiling detailed accounts of the ancient writers of Latin and Greek and the fates of their works, the *Bibliotheca Latina* and the *Bibliotheca Graeca*, both published in the opening decades of the eighteenth century. In Fabricius' account of Cicero's work, there is a section dedicated to the spurious texts, a section whose contents and order are reflected in Toland's account.[9] Moreover, surviving among Toland's private

[7] Useful discussions of the differing terminology for spurious works can be found in Bagnani, 'On Fakes and Forgeries' (n. 5 above), pp. 232-44, and B. M. Metzger, 'Literary Forgeries and Canonical Pseudepigrapha', *Journal of Biblical Literature*, 91, 1972, pp. 3-24 (4). I am using 'spurious' to encompass any falsely attributed work, and 'Ciceronian' to indicate that the work was, at some point in its history, attributed to Cicero.

[8] Johann Albert Fabricius (1668-1736), was a German philologist, bibliographer, and Protestant theologian.

[9] See J. A. Fabricius, *Bibliotheca Latina sive Notitia auctorum veterum Latinorum, quorumcunque scripta ad nos pervenerunt, distributa in libros IV*, Hamburg, 1712, pp. 136-41. The only exceptions are the *De re militari*, mentioned by Fabricius but not by Toland, and the *Libellus de petitione*, of which Toland published a translation in 1714.

papers is a list which records a series of texts to be borrowed from Fabricius and Gottfried Leibniz. Included among these texts are requests for an edition of the *Oratio pro Marco Valerio*, should one be available, for an edition of the *Synonyma Ciceronis*, whether that be the 1515 or 1587 editions from Venice or that from Augsburg in 1488, for the 1643 edition of *Orpheus sive De adolescente studioso*, and for a copy of Georgius Caspar Kirchmaierus's defence of Cicero's authorship of the *Rhetorica ad Herennium*.[10] While Fabricius was evidently a prominent source for Toland's work on the spuria, there is a marked difference between the two accounts: Fabricius, as was appropriate to a philologist and bibliographer, simply recorded the facts of the texts, while Toland, assuming the responsibility of the editor, passed judgement on the works. This section will echo Toland's evaluation of the Ciceronian spuria in *Cicero illustratus* by considering first those works to be included in the proposed edition, and second those to be excluded.[11]

Included in the Canon

The first spurious text to be selected by Toland for his canon is the *Rhetorica ad Herennium*, a rhetorical handbook dateable by its language and content to the 90s BC, and associated with the Ciceronian corpus due to its transmission in the manuscripts alongside *De inventione*.[12] Toland pledges to preface the texts with an *argumentum* recounting the debates over its authorship, a question which had attained prominence in treatments of the work, and indeed continues to be the subject of some debate. Although identified as Ciceronian by Jerome in the *Apologia contra Rufinum*, and similarly by Priscian in his *Institutiones grammaticae*, its authenticity was queried in 1491 by Raffaele Rego, who proposed alternative possibilities for its creator, among which was Cornificius, a possibility

[10] MS London, British Library, Add 4465, ff. 64-5. The specific works identified here include *Orpheus sive De adolescente studioso ad Marcum Filium nuper inventus et in lucem editus*, ed. F. Monavius, Königsberg, 1643, and G. C. Kirchmaier and I. P. Ludwig, *Dissertatio de Cicerone Rhetorica ad Herennium auctore vindicato*, Wittenberg, 1691. Georg Kaspar Kirchmaier (1635-1700) was a Professor of Eloquence in Wittenberg, with diverse interests including mining and phosphorus; cf. W. Hess, 'Kirchmayer, Georg Kasper', in *Allgemeine Deutsche Biographie*, XVI, 1882 [Onlinefassung].

[11] Sources used here for the spurious works include Fabricius, *Bibliotheca Latina* (n. 9 above), pp. 136-41; J. A. Fabricius, *Bibliotheca Latina nunc melius delecta rectius digesta et aucta diligentia Io. Aug. Ernesti*, ed. I. A. Ernesti, Leipzig, 1773, pp. 211-16; I. C. Orelli and I. G. Baiterus, *Onomasticon Tullianum, part I: continens Tullii Ciceronis vitam historiam litterariam*, Zurich, 1836, pp. 376-80; A. Gudeman, 'Literary Frauds among the Romans', *Transactions of the American Philological Association*, 25, 1894, pp. 140-64; E. H. Clift, *Latin Pseudepigrapha: a Study in Literary Attributions*, Baltimore, 1945; P. R. Coleman-Norton, 'The Fragmentary Philosophical Treatises of Cicero', *The Classical Journal*, 34.4, 1939, pp. 213-28. See also S. Polenton, *Scriptorum illustrium Latinae linguae*, ed. B. L. Ullman, Rome, 1928, on the *Consolatio*, pp. 404, 458, on the *Epistola ad Octavium*, pp. 430, 450, on the *Invectives*, pp. 172, 369, 449, and on a selection of the shorter spuria, p. 462.

[12] For an extended account of the debates concerning this work's origins see *Rhetorica ad C. Herennium*, ed. G. Calboli, Bologna, 1993. On its transmission see J. O. Ward, 'The Medieval and Early Renaissance Study of Cicero's *De Inventione* and the *Rhetorica ad Herennium*', in *The Rhetoric of Cicero in its Medieval and Early Renaissance Commentary Tradition*, ed. V. Cox and J. O. Ward, Leiden, 2011, pp. 3-69.

championed further by Piero Vettori in 1553.[13] Regarding the work itself, Toland acknowledges that 'it is agreed that the author, not lacking in learning nor eloquence, lived in the time of Cicero, or not much later', yet 'when the author relates the definitions of the same names and occurrences as Cicero does (which is very often) the difference betrays itself so palpably' that Toland wonders how any could have imagined it to be written by Cicero.[14] Although convinced of its falsity, Toland considers its prominence within the Ciceronian tradition together with its eloquent expression of rhetorical theory contemporaneous to Cicero sufficient reason to include it alongside Cicero's genuine works.

Next to be approved for inclusion in the edition are the *Invectives*, speeches purported to have been exchanged between Cicero and Sallust in the 50s BC.[15] The debate about the authorship of these *Invectives* has extended from the fifteenth century into current scholarship, a strong tradition based around their transmission alongside the genuine works of Cicero and Sallust, and their presence in the ancient literature, most notably in Quintilian.[16] Debates continue, but the consensus is that the speeches originate from the impersonations or *prosopopoeia* common to rhetorical exercises in the imperial period.[17] While Toland concurs with this rejection and dismisses their attributions, he does accept that 'they provide a contribution of whatever sort to his History, and they leave nothing desired by any type of reader in our edition'.[18] As characterisations of the disputes which dominated the late Republic they do indeed offer something to the history of that period, and to the reception of Cicero in the imperial period. The first of these *Invectives* portrays a speech delivered in the Senate in 54 BC, a speech which lambasted Cicero, condemning his actions as Consul and his conduct in the years since:

> On the contrary, he is the most irresponsible of mankind, suppliant to his enemies, insolent to his friends, in one party one day, in another the next, loyal to none, an irresponsible Senator, a mercenary advocate, with no part of his

[13] Jerome, *Apologia contra Rufinum*, I.16; Priscian, *Institutiones grammaticae*, X.32.

[14] Toland, *Cicero illustratus* (n. 1 above), p. 32: 'auctorem, non doctrina neque eloquentia destitutum, Ciceronis tempore, aut non multo saltem post vixisse, satis constat…quando earundem cum eo rerum & nominum definitiones tradit (quod persaepe fit) disparitas adeo palpabilis sese prodit'.

[15] The bibliography on these speeches is extensive, but particularly useful for their history and reception is A. A. Novokhatko, *The Invectives of Sallust and Cicero: Critical Edition with Introduction, Translation, and Commentary*, Berlin, 2009. See also Santangelo, 'Authoritative Forgeries' (n. 6 above), pp. 27-51; G. Massa, 'Sallustio contro Cicerone? I falsi d'autore e la polemica anticiceroniana di Asinio Pollione', *Athenaeum*, 94, 2006, pp. 415-66; I. Samotta, *Das Vorbild der Vergangenheit: Geschichtsbild und Reformvorschläge bei Cicero und Dallust*, Stuttgart, 2009. Classic treatments remain R. Syme, *Sallust*, Berkeley, 1984, pp. 314-18, which rejects Sallust and Cicero's authorship, and K. Büchner, *Sallust*, Heidelberg, 1960, which defends Sallust's authorship.

[16] Quintilian, *Institutio oratoria*, IV.68, IX.89.

[17] The declamation schools of the imperial period gave rise to numerous pseudepigrapha, as students's training involved the composition of imagined speeches. See Clift, *Latin Pseudepigrapha* (n. 11 above), pp. 93-8; Gudeman, 'Literary Frauds among the Romans' (n. 11 above), p. 155.

[18] Toland, *Cicero illustratus* (n. 1 above), p. 33: 'symbolam qualemcunque ad ejus Historiam conferunt, nihilque ullo lectorum generi in nostra editione desiderandum relinquunt'.

> body clear of turpitude: false tongue, grasping hands, immense gullet, runaway feet, most indecent the parts that cannot be named.[19]

The second *Invective* is Cicero's supposed response to this attack, encompassing the entirety of Sallust's life and career. Each is a plausible occurrence in the fraught atmosphere of the late Republic.

Toland includes two more pseudepigraphical works on the same basis (*propter easdem rationes*): the *Oratio ad populum et equites Romanos antequam iret in exsilium*, often referred to as the *Pridie*, and the *Epistola, ad Octavium*.[20] The *Pridie* claimed to be a speech delivered by Cicero the day before he retreated into exile in 58 BC, portraying Cicero calling upon the people and the *Equites* to come to his aid and defend him against the machinations of his enemy Publius Clodius. The authenticity of this work, however, had long been doubted; there is no reference to such a speech among the ancient authorities - a notable omission given the enthusiasm with which Cicero recorded his own compositions – and it is historically improbable, referring to a *privilegium* which would not be added to Clodius' bill until after Cicero had fled Rome.[21] The *Epistola, ad Octavium* was a letter purported to have been written by Cicero to Octavian in the last weeks of his life, expressing in dramatic terms his disappointment and wretchedness following what he perceived as Octavian's betrayal of the Republic.[22] Renewing familiar themes from Cicero's works, 'Cicero' reminds Octavian of his previous services to the Republic, and threatens the worst if the Commonwealth fails:

> A little later on I shall leave Rome as well if conditions call for it; saved by me to be free, I shall not have the heart to see her in bondage. I shall leave life, a troubled life, but if it is to be of benefit to the commonwealth, it consoles me with hope for the future; that hope taken away, I shall die without a qualm.[23]

This *Epistola*, like the *Pridie*, was broadly acknowledged as spurious, and counted among the pseudepigrapha which emanated from the imperial education in rhetoric.[24] Yet Toland bracketed these works with the *Invectives* as works which, in spite of their falsity, still had some historical value to the reader of Cicero.

[19] Pseudo-Sallust, *Invective against Cicero*, 5: 'immo vero homo levissimus, supplex inimicis, amicis contumeliosus, modo harum, modo illarum partium, fidus nemini, levissimus senator, mercennarius patronus, cuius nulla pars corporis a turpitudine vacat: lingua vana, manus rapacissimae, gula immensa, pedes fugaces, quae honeste nominari non possunt inhonestissima' [transl. Shackleton Bailey].

[20] Toland, *Cicero illustratus* (n. 1 above), p. 33.

[21] See Cicero, *Epistulae ad Atticum*, III.4.

[22] Jacobus Ludovicus Rhemus illustrated the Epistola with a commentary in *Epistola ad Octavium Iacobi Lodoici Rhemi commentariis illustrata*, Paris, 1536, reprinted numerous times across the sixteenth century. Another edition was the *Epistolarum ad Atticum, libri XVI, Epistolarum ad Q. fratrem, libri III, Incerti auctoris epistola ad Octavium, T. Pomponii Attici vita, per Cornelium Nepotem, ex emendatione D. Lambini*, Venice, 1579.

[23] *Epistola ad Octavium*, 2: 'post etiam paulo temporibus ita postulantibus cedam urbe, quam per me conservatam ut esset libera in servitute videre non potero; cedam vita, quae quamquam sollicita est, tamen si profutura est rei publicae, spe posteritatis me consolatur, qua sublata non dubitanter occidam' [transl. D. R. Shackleton Bailey, Cambridge MA, 2002].

[24] Clift, *Latin Pseudepigrapha* (n. 11 above), pp. 115-16.

A second reason for the inclusion of the *Pridie* and the *Epistola* is given by Toland in *Cicero illustratus*: 'for since they have found a place in the manuscripts, I do not see at all why they should not obtain the same prerogative in imprints'.[25] Both of these texts had been transmitted as part of strong manuscript traditions, a fact which assured them a place in the editorial tradition of Cicero's works, a place Toland intended to maintain. The *Pridie* had been transmitted in manuscripts containing the whole body of speeches delivered by Cicero after his return from exile, between 57 and 56 BC, or the *post reditum* corpus.[26] Two principal families of manuscripts transmitted the *post reditum* speeches: the first centred around a ninth century manuscript produced in Tours, *P*, and the second around a pair of manuscripts copied in Liège in the eleventh and twelfth centuries, *G* and *E*.[27] The *Pridie* was present in both these manuscript families. The *Epistola*, meanwhile, featured in two prominent families of manuscripts which conveyed Cicero's letters through the Middle Ages and into the Renaissance.[28] The first of these was the 'Italian family', signified by Ω, which transmitted the *Epistolae ad Atticum*, *ad Quintum fratrem*, and *ad Brutum*, a group of manuscripts copied in Italy from the fourteenth century on. The second family of manuscripts which transmitted the *Epistola* has been signified by χ, and contained the *Epistolae ad Familiares*, IX-XVI, and the *Commentariolum petitionis*. The *Epistola* was therefore present in two of the most important manuscript groups responsible for the survival of the letters of Cicero. Toland's appreciation for the manuscript tradition of these two spurious works is therefore well-founded.

Next to be included by Toland is the *Consolatio*, one of the most notorious attempts at a Ciceronian forgery.[29] Toland offers two reasons for his decision to include the *Consolatio*. First, 'because it is even now believed by certain people to be genuine'.[30] A work called the *Consolatio* had been written by Cicero as an examination of grief, and had been listed in the catalogue of his philosophical compositions in the *De divinatione*.[31] This work did not survive, however, a loss

[25] Toland, *Cicero illustratus* (n. 1 above), p. 33: 'cum in manuscriptis enim codicibus locum invenerint, cur idem in impressis privilegium non obtineant, haud perspicio'.

[26] For the textual history of the *Pridie* see *Texts and Transmission: a Survey of the Latin Classics*, ed. L. D. Reynolds, Oxford, 1983, p. 57; Clift, *Latin Pseudepigrapha* (n. 11 above), p. 91; T. Maslowski, 'Notes on Cicero's Four Post Reditum Orations', *The American Journal of Philology*, 101.4, 1980, pp. 404-20.

[27] MS Paris, Bibliothèque Nationale, lat. 7794 (*P*); MS Brussels, Bibliothèque Royale, lat. 5354 (*G*); MS Berlin, Deutsche Staatsbibliothek, lat. fol. 252 (*E*).

[28] On the manuscripts which contain the *Epistola* see *Cicero's Letters to Atticus*, ed. D. R. Shackleton Bailey, Cambridge, 1965, I.77-85; *Cicero: Epistulae ad Familiares*, ed. D. R. Shackleton Bailey, Cambridge, 1977, I.3-20; *Texts and Transmission*, ed. Reynolds, (n. 26 above), pp. 135-42.

[29] On the history of this text see W. McCuaig, *Carlo Sigonio: the Changing World of the Late Renaissance*, Princeton, 1989, 291-326; J. E. Sandys, *A History of Classical Scholarship, vol. II: From the Revival of Learning to the End of the Eighteenth Century*, Cambridge, 1908, 143-145; R. Ellis, 'On the Pseudo-Ciceronian *Consolatio*', *The Classical Review*, 7.5, 1893, p. 197.

[30] Toland, *Cicero illustratus* (n. 1 above), p. 33: 'quod a quibusdam etiamnum genuina credatur'.

[31] Cicero, *De divinatione*, II.3; cf. *Ad Atticum*, XII.28, *Tusculan disputations*, I.31, 34, 83.

made all the more infuriating to Ciceronian scholars by the references made to the work among the early Christian Fathers.[32] As numerous Renaissance scholars strove to locate this missing work, it was Francesco Vianello who claimed to have succeeded when he published the *Consolatio* in Venice in 1583.[33] While the initial enthusiasm was overwhelming, with the text being reproduced across Western Europe numerous times in that same year, it did not take long for suspicions about the origins of the *Consolatio* to arise. The most vocal critic of the text was Antonio Riccobini, who became embroiled in a fierce debate on the matter with Carlo Sigonio, whom Riccobini accused of being the true author of this *Consolatio*. More scholars came to agree with Riccobini, including Marc-Antoine Muret and Justus Lipsius, particularly when Vianello could not produce the manuscript on which his edition was supposedly based. The controversy provoked by this attempt to introduce a forgery into the Ciceronian corpus was sufficient to merit its perpetuation in Toland's edition. The second justification Toland offers for including the *Consolatio* draws upon Johann Albert Fabricius directly, reiterating his conclusion that it was 'neatly written and worth reading'.[34] As with the *Rhetorica ad Herennium*, the eloquence of the text was a quality Toland was willing to consider when judging the merit of these spurious works.

The final text Toland identified for inclusion among the spurious canon was the *Oratio Graeca de Pace*. While Toland intended to include the work 'to complete everything', he is very scathing regarding its merits, declaring that 'this Latin, which was taken for the produce of Tully himself…bristles with scandalous Gallicisms, and is not of more honest coin than the *Petronii Fragmenta Nodotiana*'.[35] The *Oratio* was, in fact, simply a Latin translation of a passage from Cassius Dio's *Roman History*, relating a speech Cicero delivered in the Senate, after he had been recalled by Marc Anthony following the assassination of Caesar.[36] It was, however, mistakenly taken for the words of Cicero, not least by Charles de Merouville, who reproduced the words in Latin in an edition of Cicero's speeches which was produced as part of a series created for the education of the Grand Dauphin, the son of King Louis XIV, between 1670 and 1698.[37] Toland's decision to include it was almost certainly motivated by the desire to expose the Latin

[32] Augustine, *City of God*, XIX.4.2; Lactantius, *Divine Institutes*, I.15.16-22, III.18.18, 19.3-6, 28.9.

[33] *Consolatio, liber quo se ipsum de filiae morte consolatus est, nunc primum repertus et in lucem editus*, Venice, 1583. On the Renaissance pursuit of missing works and its potential to lead to forgeries see Grafton, *Forgers and Critics* (n. 5 above), pp. 8-30.

[34] Toland, *Cicero illustratus* (n. 1 above), p. 33: 'eleganter scripta et lectu digna est'.

[35] Toland, *Cicero illustratus* (n. 1 above), p. 34: 'Latina illa, quae pro ipsius Tullii foetu…pudendis ubique scatet Gallicismis, neque probioris est monetae, quam Petronii Fragmenta Nodotiana'. Also in 1712, Heinrich Leonhard Schurtzfleisch (1664-1723) produced an edition of the speech demonstrating its falsity; see H. L. Schurtzfleisch (ed.), *Oratio de pace*, Wittenberg, 1712. The reference to Petronius' *Satyricon* refers to a claim in 1693 by François Nodot to have found some of the missing passages of that work, a claim exposed as spurious by Pieter Burmann in 1709.

[36] Cassius Dio, *Roman History*, 44.23-33.

[37] Cicero, *Orationes interpretatione et notis illustravit P. Carolus de Merouville, Societatis Jesu; Jussu Christianissimi Regis, ad usum serenissimi Delphini*, Paris, 1684.

forgery for what it was; he planned to place the Latin alongside the Greek text from Cassius Dio, so that the falsity and ineptitude of the impostor would be evident.

Excluded from the Canon

In addition to these spurious works, Toland identifies a group of texts which he intends to dismiss from his canon entirely, rejecting them as 'so clearly spurious and barbarous'.[38] These works are the *Orpheus sive De adolescente studioso*, the *Tironis notae tachygraphicae*, the *Liber de synonymis ad L. Victurium*, the *De memoria artificiali libellus*, and the *Oratio pro Marco Valerio*.

Toland is most effusive in his rejection of the *De memoria*, scorning those who had actually believed this work might be genuinely Ciceronian; Toland identifies one Jacobus Lectius in particular, who had also been noted by Fabricius in his *Bibliotheca Latina* as guilty of mistaking the work.[39] Toland declares that an unidentified charlatan took the opportunity presented by a passage in the third book of *Rhetorica ad Herennium*, in which the author defers the discussion of artificial memory to another occasion.[40] The result was a short text claiming to fill this gap, but doing so in a manner inferior to Cicero's own efforts in *De Oratore*, rendering this attempt unnecessary.[41] The *Oratio pro Marco Valerio*, meanwhile, first appeared in an edition of Cicero's speeches produced by Filippo Beroaldo the Elder in 1499.[42] Its lack of appropriately eloquent expression condemned it as spurious early in its life, as Fabricius noted: 'swarming with solecisms: it is unlikely that it could be considered a work of Cicero: and so it has rightly been omitted in editions of Tully's works'.[43] In 1836 Orelli claimed it was a forgery by Janus Cardo Bononiensis, a little declamation written *frigidissima*.[44] Each of these works could be condemned as forgeries, but it was their poor quality that truly ensured their fates as exiles from the Ciceronian corpus.

The *Orpheus*, which was supposedly written by Cicero to his son while he studied in Athens on the subject of Orpheus' life and death, first appeared in print in 1594 in Venice, edited by a scholar named Julius Caesar Glucianus Squarcia.[45] In a

[38] Toland, *Cicero illustratus* (n. 1 above), p. 33: 'ut manifestò spuria et barbara'.

[39] Ibid., pp. 33-4. Regarding Jacobus Lectius, Fabricius, *Bibliotheca Latina* (n. 9 above), p. 140, cites Daniel Georg Morhof (1639-1691) as his source for Lectius' mistaken identification; see D. G. Morhof, *Polyhistor, literarius, philosophicus et practicus*, [1707] 1747.

[40] *Rhetorica ad Herennium*, III.28.

[41] Cicero, *De Oratore*, II.350-360.

[42] F. Beroaldo (Philippus Beroaldus, 1453-1505) (ed.), *Orationes M. Tullii Ciceronis per Philippum Beroaldum recognitae ac diligenter correctae. Addita in calce Oratione adversus Valerium quae hactenus incognita fuit*, Bologna, 1499; *Oratione di M. T. Cicerone, contra Valerio, di Latino in volgare tradotta per M. Marc. Antonio Tortora*, Venice, 1536.

[43] Fabricius, *Bibliotheca Latina* (n. 9 above), p. 138: 'scatens soloecismis: tantum abest, ut Ciceronis haberi possit: in editionibus itaque operum Tullii recte praetermissa'.

[44] Orelli, *Onomasticon Tullianum* (n. 11 above), p. 377.

[45] *Orpheus sive De adolescente studioso ad Marcum Filium nuper inventus et in lucem editus*, ed. J. C. G. Squarcia, Venice, 1594. It was reprinted by Fridericus Monavius in 1643 in Elbing, then in Venice in 1793, and Florence in 1831.

prefatory address to Johannes Petrus Ayroldura Marcellanus, identified as a doctor and philosopher by Fabricius, Squarcia claimed that he had located amongst the collection in *Biblioteca Marciana* in Venice several manuscripts which had yet to be edited, among which was this work.[46] The original manuscript could not be located; this, together with the poor quality of the text, ensured its relatively swift eviction from the Ciceronian corpus. Meanwhile the *Tironis notae tachygraphicae*, a lexicon written in Tironian shorthand, was attributed to Cicero by the monk Johann Tritheim in his *Steganographia*, written in 1499, although not published until the beginning of the seventeenth century.[47] Tritheim, while abbot of the Benedictine Abbey of Sponheim, had discovered this lexicon, and determined it to be Ciceronian, an identification commonly overturned in favour of Cicero's freedman Tiro.[48] Another work which enjoyed a brief identification with Cicero due to the complexities of transmission was the *Liber de synonymis*, reproduced in print several times under the name of Cicero across the sixteenth century.[49] This attribution, however, was the consequence of both the enthusiasm for Cicero as a rhetorician in the early Middle Ages, and a spurious letter, *Cicero ad Veterium*, which prefaced some of the collections identified as *Synonyma Ciceronis*.[50] The identification of these rediscovered works as Ciceronian, encouraged perhaps by the fervour for rediscovery which drove the Renaissance, was sufficiently tenuous as to prevent any of them gaining anything except the smallest foothold in the Ciceronian tradition.

In what is ultimately a brief overview of the spurious works of Cicero which were still present in the Ciceronian tradition at the beginning of the eighteenth century, Toland's immediate goal is simple: identify the texts to be included and the texts to be rejected in his planned edition, and provide his reasons for those decisions. It is these reasons, and what they signify about Toland's engagement with the spurious tradition, to which we shall turn now.

[46] Ernesti (ed.), *Bibliotheca Latina* (n. 11 above), p. 215.

[47] J. Tritheim, *Steganographia: hoc est: ars per occultam scripturam animi sui voluntatem absentibus aperiendi certa*, Frankfurt, 1606. Johann Tritheim (Johannes Trithemius, 1462-1516) was a German Benedictine with an interest in cryptography and the occult; see N. L. Brann, *Trithemius and Magical Theology: a Chapter in the Controversy over Occult Studies in Early Modern Europe*, Albany, 1999.

[48] D. A. King, *The Ciphers of the Monks: a Forgotten Number-notation of the Middle Ages*, Stuttgart, 2001, pp. 61-3.

[49] *Synonyma Ciceronis*, Padua, 1482; *Libellus de dictionum proprietatibus iuxta alphabeti ordinem*, Padua, 1483; *De proprietatibus terminorum*, Augsburg, 1488; *De verborum copia et elegantia libri II*, Rome, 1488; *Synonyma, De differentiis, Bartholomaeus Fatius: synonyma et differentiae*, Rome, 1491, reprinted in 1496 and 1500; *Synonyma ad Lutium, Veturium et Stephani Flisci – artificiosa eloquentia – cum annotationibus multis in aliis exemplaribus olim pretermissis*, Leipzig, 1515, reprinted in 1517; *Synonyma Ciceronis Victurii, rethoris disertissimi una cum Stephani Flisci, utriusque linguae peritissimi, synonymis, ex omnibus grammaticae orationis partibus secundum ordinem alphabeti constructa: quae in humanum usum, aut commodum evenire possunt. Eiusdem Ciceronis Victurii, itemque Bartholomei Flacci, viri eloquentissimi, mediis interiectis differentiis. Opuscula vere aurea. Nunc recens summa cum diligentia, et fide recognita, castigata, aucta, atque ad studiosorum adolescentium utilitatem impressa*, Venice, 1587.

[50] P. Gatti, *Synonyma Ciceronis: la raccolta "Accusat, lacescit"*, Trent, 1994.

The Value of a Spurious Canon

Toland approached this discussion of the relative values of the Ciceronian spuria from the position of an editor; his purpose was not simply the recording of the known facts of a text, nor even evaluating its authenticity, but the justification of the editorial decision to perpetuate the presence of works he openly acknowledged as false in the Ciceronian tradition. This required the somewhat counter-intuitive development of authority for false works to justify their presence, even using the very scholarly tools which were deployed to eliminate interlopers from the canon. By examining Toland's strategies for endorsing his chosen spuria, an appreciation of Toland's purposes in this discussion can be established. Three values identified by Toland in the spurious works will be examined here: their textual value; their contribution to the reader's understanding of Cicero; and drawing on these the value for Toland himself.

The Textual Value

Toland makes evident when constructing his spurious canon that the textual history of the works in question was a quality he judged to have weight, electing to include in this catalogue certain spuria whose transmission within the manuscripts is sufficiently impressive to merit their continued presence in the Ciceronian tradition. As noted above, Toland identifies this openly as a reason for his inclusion of the *Pridie* and the *Epistola, ad Octavium*, texts which were transmitted in the company of genuine works and in strong manuscript families. The notion that an authoritative history in the manuscript tradition should ensure a text's survival, regardless of its clearly spurious status, is enforced less explicitly by the rest of Toland's catalogue. The *Rhetorica ad Herennium*, transmitted with the *De inventione* since the tenth century, and the *Invectives*, diffused in the company of Cicero's *Catilinarians* and Sallust's works in manuscripts dating from as early as the ninth century, are both scheduled for inclusion in Toland's edition.[51] In contrast, those spuria to be excluded include texts with no obvious textual history prior to their appearance in print, such as the *Oratio pro Marco Valerio* and the *Orpheus, sive De adolescente studioso*. In *Cicero illustratus* Toland was obviously willing to make the case that the authority derived from the manuscript evidence was such that it permitted, or even demanded, discussion of those texts.

There was a strong precedent for this attitude among Toland's predecessors in the editing of Cicero. In particular, the continued reproduction of the *Pridie* and the *Epistola* in the *Opera omnia* editions illustrates the authority of this argument, as they had little else to recommend them. There was a conviction among the editors from Piero Vettori onwards that these texts were not genuine, yet the strength of their manuscript traditions seemingly demanded their inclusion. The conundrum posed by these works to editors of the Ciceronian text is most succinctly phrased by

[51] On the transmission of the *Rhetorica ad Herennium*, see *Texts and Transmission*, ed. Reynolds (n. 26 above), pp. 98-100; on the *Invectives* see Ibid., pp. 62-5 and Novokhatko, *The Invectives of Sallust and Cicero* (n. 15 above), pp. 27-110.

Denis Godefroy, in his note introducing the speech in his 1588 edition of Cicero's works: 'this speech, which is attributed to Cicero, seems unworthy to certain men. However as it can be read in several exemplars, clearly it is not omitted, but it is extracted to the end of the volume'.[52] Even editors famed for their application of criticism based on the manuscript evidence retained the *Pridie* and the *Epistola* in their editions, including Piero Vettori in 1534 and Jan Gruter in 1618, although Gruter with the warning that the *Pridie* was 'inelegant and ungraceful, insipid and inept, finally it is hardly Latin. And so they who attribute it to Cicero, with the same work they wrap some trite and mangled robe with dull fibre around some splendid king'.[53] Regarding the *Epistola*, Gruter provided a full account of its manuscript history, carefully recording its presence in the Palatine Library in Heidelberg, while also acknowledging its falsity: 'again this same Declamation is extant in four Palatines: but clearly these maintain the vulgate; there was still another Palatine which had these variant readings which the excellent Turnebus produced and so I bring no notes here: since at any rate it should be agreed that Tully should not be recognised as the author'.[54] The practice of reproducing the spurious works on account of an authority derived from their manuscript histories was well-established in the editorial tradition into which Toland was entering.

The manuscript evidence for a false work was a value Toland also had and would recognise in his other works. In his biblical scholarship the most audacious example occurs with the work *Nazarenus* in 1718, published six years after *Cicero illustratus*.[55] In this work Toland engaged in an extended discussion of the apocryphal *Gospel of Barnabas*, constructing this discussion around a manuscript of said *Gospel* which he claimed to have located in the library of Prince Eugene of Savoy in 1709, aforementioned addressee of *Cicero illustratus*. This manuscript was deployed to make possible and justify the extended discussion of a spurious work. Pertinent parallels can also be located in the editions Toland produced at the end of

[52] Cicero, *Opera omnia. Praeter hactenus vulgatam Dionysij Lambini editionem, accesserunt D. Gothofredi I. C. notae*, Lyon, 1588: 'haec oratio indigna quibusdam videtur quae Ciceroni adscribatur. Et tamen quod hoc loco in exemplariis nonnullis legeretur, non planè omissa, sed in finem operis electa est'. Denis Godefroy (Dionysius Gothofredus, 1549-1621) was a French jurist whose edition of Cicero's works, containing Lambin's texts and his own notes, was reproduced many times in the late sixteenth and seventeenth centuries.

[53] Cicero, *Opera omnia quae exstant. Ex sola fere codd. mss. fide emendata studio atque industria Iani Gulielmii et Iani Gruteri*, Hamburg, 1618: 'inelegans, inconcinnaque est, insulsa atque inepta, denique vix latina. Itaque qui eam Ciceroni adscribunt, eadem opera regi alicui opulento vestem aliquam crasso filo tritam, ac laceram circumdent'. On Jan Gruter (Janus Gruterus, 1560-1627), see V. Hartmann in *Brill's New Pauly Supplement I*. See also Cicero, *Opera, omnium quae hactenus excusa sunt, castigatissima nunc primum in lucem edita*, ed. P. Vettori, Venice, 1534-1537. On Piero Vettori (Petrus Victorius, 1499-1585), see D. Gall, 'Vettori, Piero', in *Brill's New Pauly Supplements I – Volume 6: History of Classical Scholarship – A Biographical Dictionary*, Leiden, 2013.

[54] Ibid., III.277: 'exstabat isthaec item Declamatio in Pall. priorb. quattuor: sed ii plane tuebantur scripturam vulgatam. erat adhuc alter Pal. qui fere habebat variantes eas lectiones, quas prodidit optimus Turnebus lib. xvi. Adversariorum cap. 8. itaque nihil illis huic enotandum duxi: utique cum constet non agnoscere auctorem'. Efforts at scrutinising the manuscript tradition of the *Epistola* were also made in Cicero, *Opera omnia*, ed. M. Bentinus, and Adrien Turnèbe (Adrianus Turnebus, 1512-1565), *Adversariorum libri triginta*, Paris, 1580, II.xvi.113-5.

[55] J. Toland, *Nazarenus: or, Jewish, Gentile, and Mahometan Christianity*, London, 1718.

the seventeenth century of the works of the great English Republican writers John Milton, James Harrington Algernon Sidney, Edmund Ludlow, and John Holles.[56] For most of these works, the editor wielded manuscripts as a weapon to legitimise the texts produced, in particular regarding Sidney, Holles, and Ludlow, the editions of whose works were all based on previously unpublished manuscripts. In the case of Edmund Ludlow, the *Memoirs* published in 1698 and 1699 were based on a manuscript entitled 'A Voyce from the Watch Tower', manuscript for which Toland remained the only source until the 1970s.[57] This manuscript, apparently written during Ludlow's exile, was entrusted to a friend before reaching its eventual editor, a claim which was deemed by that editor to provide sufficient authority for the work. In Toland's edition of Harrington's *Oceana*, published in 1700, he supplemented the main text with several of Harrington's own manuscripts, 'the whole Collected, Methodiz'd, and Review'd'.[58] Included among these manuscripts is a work whose authenticity is doubted, *The Mechanics of Nature*; if indeed a forgery it was most likely one from Toland's own hand, yet again the manuscript form in which it was 'located' is deemed sufficient to justify its inclusion.[59]

The Ciceronian Value

Another means of evaluating the spurious works employed by Toland is the extent to which, in spite of its spurious nature, a work offered the reader some insight into or illustration of Cicero himself. One such illustrative function is the presence of an almost Ciceronian eloquence or learning. For example, the inclusion of the *Rhetorica ad Herennium* is in part explained with reference to the quality of the work, the learning displayed by its author, and the style of the Latin in which it was written, which could be dated to Cicero's own time.[60] Elegance and style is also cited as the basis of the decision to include the *Consolatio*, following the example of

[56] This editorial project was sponsored by a series of prominent Country Whigs, who hoped to see these works act as propaganda for their cause. Toland has been identified as the editor of Algernon Sidney's *Discourses Concerning Government* (1698), the *Life* and *Works* of John Milton (1698), the *Memoirs of Denzil, Lord Holles* (1699), the *Memoirs* of Edmund Ludlow (1698/1699), and the *Oceana* of James Harrington (1700). While for most of these works the editor remained anonymous, extensive research has established Toland's role. See, for example, B. Worden, 'Whig History and Puritan Politics: the *Memoirs* of Edmund Ludlow Revisited', *Historical Research*, 75, 2002, pp. 215-37, and the relevant entries in G. Carabelli, *Tolandiana: Materiali Bibliografici per lo Studio dell'Opera e della Fortuna di John Toland (1670-1722)*, Florene, 1975.

[57] *Memoirs of Edmund Ludlow Esq;*, ed. J. Toland, Switzerland, 1698; *Memoirs of Lieutenant General Ludlow. The Third and Last Part*, ed. J. Toland, Switzerland, 1699. The claim to publication in Switzerland is false; they were in fact pulished in London.

[58] *The Oceana of James Harrington, and his other works*, ed. J. Toland, London, 1700. The quotation is taken from the work's frontispiece.

[59] J. Champion, *The Pillars of Priestcraft Shaken: the Church of England and its Enemies, 1660-1730*, Cambridge, 1992, pp. 198-204, argues that this was a spurious work, while James Harrington, *The Commonwealth of Oceana and A System of Politics*, ed. J. Pocock, Cambridge, 1992, offers no judgement on the work, but excludes it from his edition.

[60] Toland, *Cicero illustratus* (n. 1 above), p. 32.

Johann Albert Fabricius.[61] The implication being that while not genuine, the quality of these works is sufficient to add something to the reader's understanding of Cicero's own style and eloquence, and indeed to the reader's enjoyment. In addition, the possible contribution to Cicero's history by the *Invectives*, the *Pridie* and the *Epistola* was invoked by Toland as a justification for their inclusion.[62] As noted above, these works provided insights into the imperial perspective on Cicero's achievement and the last days of the Republic, and were historic texts in their own right. Moreover, they provided portrayals of events and occasions in Cicero's life which, while false, might provide a plausible imagining of events and attitudes. As indicated by Toland in *Cicero illustratus*, this is a quality that can also be located in the *Invectives*, works which while probably not written by Cicero, may be judged to be useful representations of a particular moment in Cicero's life. Toland believed that even a spurious work had the potential to provide some depth and context when printed alongside genuine works in an edition of this nature.

Again, this is a means of evaluating the spuria in evidence throughout the editorial tradition into which Toland was entering. The idea that an imagined version of Cicero might provide a useful illustration of the man is perhaps best articulated by Piero Vettori in his discussion of the *Epistola* when explaining his corrections to the Ciceronian text. Vettori considered the content of the letter, before noting 'it can easily be believed that Cicero also wanted to pour out the grief of his soul with this most bitter letter, and to bring upon Octavian, when not otherwise possible, grief with these censures and curses. Therefore it seems to us not to differ greatly from him in either words or sentiments'.[63] The sense here is that, even though the *Epistola* was not actually written by Cicero, it still succeeded in producing an accurate portrayal of Cicero at this moment in his life, when wracked with the disappointment and betrayal felt following Octavian's assumption of power, and that this gives the *Epistola* value. This is a perspective reflected in the presentation of the *Invectives* in the Delphin edition of Cicero's speeches in 1684; the speeches are prefaced by an *argumentum*, summarising the historical background to the *Invectives*, explaining how Sallust and Cicero came to be in opposition and how the speeches may well have come to pass.[64]

More common among the editions is the employment of spurious works for the display of rhetorical values; the pseudepigraphical declamations were particularly favoured for this use, as composed in the schools as rhetorical exercises they inevitably contained clear examples of rhetorical constructs and gambits. Take the commentary written on the *Pridie* by Myliander Tigurinus, which accompanied that text in a Parisian edition of that speech together with the *Post reditum in Senatu* and

[61] Toland, *Cicero illustratus* (n. 1 above) p. 33; see also Fabricius, *Bibliotheca Latina* (n. 9 above), pp. 138-9.

[62] Toland, *Cicero illustratus* (n. 1 above), p. 33.

[63] P. Vettori, *Explicationes suarum in Ciceronem castigationum*, Paris, 1538, p. 46: 'ut facile credi possit voluisse quoque Ciceronem hac acerbissima epistola dolorem animi sui effundere, Octavianoque, cum aliter non posset, his conviciis, et maledictis dolorem adferre. Nobis igitur nec verbis nec sententiis videtur valde ab illo discrepareas'.

[64] Cicero, *Orationes*, ed. de Merouville (n. 36 above), pp. 637-8.

the *Post reditum ad Quirites*.[65] This commentary has a clear emphasis of the rhetorical merits of the *Pridie*, deconstructing such rhetorical techniques as syllogisms, deduction, and arguments from what is contrary:

> *Et si maiores vestri eos imperatores &c*.] It is argued by comparison, which earlier we placed fifth [of the argumentative strategies]. In a comparison, there are lesser and greater parts. Here the argumentation is mixedly drawn from greater and smaller, for the Sense is: if your ancestors paid a greater price for a lesser virtue, how much more is it agreed that you give less for a greater virtue?[66]

Even the *Invectives* were presented for rhetorical instruction in the Delphin edition of Cicero's speeches; they were annotated with a summary of the *genus causae*, together with an *oratio analysis* which broke the speech down into its constitutional parts and related these to the traditional parts of a speech.[67] Once more, the evaluation of a spurious text's virtue on the basis of its ability to contribute something to the understanding of Cicero and his works was a practice established in the scholarly tradition of which Toland was partaking.

It was also an editorial technique Toland had already employed. Returning to his editions of the English Republicans, Toland reveals a full awareness of the ability of supplementary texts to shape how the central text was read. In his edition of Sidney's *Discourses*, a *Copy of the Paper Deliver'd to the Sheriffs, Upon the Scaffold on Tower-hill…Immediately before his Death* is appended, to provide a view of Sidney's politics heavily shaped by Milton's *Tenure of Kings and Magistrates*.[68] Ludlow's *Memoirs* were accompanied by a 'Collection of Original Papers, serving to confirm and illustrate many important Passages of this and the preceding Volumes', a collection which primarily served to further Toland's identification of tyranny as Ludlow's true enemy.[69] In Toland's edition of Harrington's *Oceana*, this was a practice extended to include the suppositious work entitled *The Life of the Mechanics of Nature*, one of the collection of manuscripts printed alongside Harrington's classic work.[70] This treatise, which followed Toland's *Life of Harrington*, was described as 'An Imperfect Treatise

[65] Cicero, *Orationes tres. Antequam iret in exilium, ad populum et Equites Romanos, Myliandri Tigurini annotationibus illustra. Post reditum, in Senatu, Iacobo Bugeliuo scholiaste. Item post reditum altera, ad Quirites, cum Bartholomeaei Latomi item scholiis. Additis in easdem singulis Xichonis Polentoni Patauini, et Ioannis Sturmii argumentis*, ed. M. Tigurinus, Paris, 1549. Myliander Tigurinus also wrote as Otto Werdmüller, but otherwise little is known of him.

[66] Ibid., p. 6: 'Et si maiores vestri eos imperatores &c.] Argumentatur à comparatis, quae superius quinto loco posuimus. In comparatione paria, minora & maiora sunt. Mixtim hic à maiori & minori ducitur argumentatio, Sensus enim est: Si pro minori virtute maius praemium vestri maiores persoluerunt, quanto magis maiori virtute minus dare vos convenit?'.

[67] Cicero, *Orationes*, ed. de Merouville (n. 36 above), pp. 637-42.

[68] Algernon Sidney, *Discourses Concerning Government*, ed. J. Toland, London, 1698, pp. 421-4.

[69] *Memoirs of Lieutenant General Ludlow*, ed. Toland, (n. 57 above), on the frontispiece. On Toland's manipulation of the material see Worden, 'Whig History and Puritan Politics' (n. 56 above), pp. 215-37, and B. Worden, *Roundhead Reputations: the English Civil Wars and the Persuasions of Posterity*, London, 2001, pp. 86-121.

[70] James Harrington, *Oceana*, ed. J. Toland, (n. 58 above), pp. xlii-iv.

written by JAMES HARRINGTON during his sickness, to prove against his Doctors that the Notions he had of his own Distemper were not, as the alleg'd, Hypocondriac Whimsys or Delirious Fancys'. This treatise presents an eminently pantheistic conception of nature, which when presented as a prefatory text to Harrington's *Oceana* suggests that work was an attempt to impose a naturalistic – as opposed to millennial or secular – understanding of Harrington's theory.[71]

These arguments in favour of the inclusion of spurious works – their textual strength and their contribution to understanding the author – drew on traditional principles of scholarship, as Toland evaluated the contribution such works might make to the edition as a whole. Toland's consideration of these factors was directed towards establishing a form of authority for the works themselves, by demonstrating their value in recognisable scholarly terms. There was another value, however, which the spurious works possessed for Toland as an editor of Cicero.

The Value to Toland

The process of evaluating and using these spurious works served an additional function: the development of editorial authority for Toland. The relationship between displays of erudition through engagement with scholarly practices and the construction of authority has been well established in recent scholarship.[72] Considerations of the means by which knowledge and belief could be formed have emphasised the importance of credibility and trust in facilitating the acceptance of information presented. This is an understanding of knowledge which has been extended into the world of print, in which displays of learning – footnotes, commentary, understanding of manuscript evidence, and so on – have been perceived as a tool for winning the trust of the reader, and therefore gathering authority. For Toland to establish his editorial authority, it was necessary for him to display he had the scholarly capacity to complete his task. It is this that becomes apparent in his treatment of the spuria: by evaluating them according to established standards of scholarship, he was advertising his own capacity to appropriately handle his editorial role. While this much might be assumed as the appropriate conduct of the editor, what makes Toland such an interesting example is that he had an established propensity for approaching editorial authority from an exploitative stance.

Throughout his editions of the works of the English Republicans there is one common theme: the use of his position as editor to manipulate the material to serve a broader ideological goal. These works were intended to provide a coherent ideological resource, one which identified these Republicans as the forebears of the Country Whigs under William III. Consequently, Toland sought to shift the emphasis of the

[71] See Champion, *Pillars of Priestcraft* (n. 59 above), pp. 197-201.

[72] The relationship between trust and knowledge formation was most extensively developed by Steven Shapin in his influential work *A Social History of Truth: Civility and Science in Seventeenth-Century England*, Chicago, 1994. The power of scholarly displays to further develop such trust has been examined by A. Johns, *The Nature of the Book: Print and Knowledge in the Making*, Chicago, 1998, and A. Grafton, *The Footnote: a Curious History*, Cambridge MA, 1997.

Republican works, as we have already seen.[73] Toland used the opportunity presented by the fact that he was developing Edmund Ludlow's *Memoirs* from an unseen manuscript to intervene in the text, instituting such changes as Ludlow's transformation from a Puritan to a man deeply hostile to Puritanism. For both Ludlow and James Harrington, their anti-monarchical stances were shaped into a hostility to tyranny rather than the institution of monarchy, better suiting life under a constitutional monarch, by the judicious introduction of supplementary texts. In the case of John Milton, the prefatory life was employed to shape the reader's understanding of his works, presenting a man who – like Ludlow and Harrington – opposed tyranny rather than monarchy, and whose works were permeated by a fervent anticlericalism. These were all values prized by Toland and his sponsors among the Whigs. Toland's exploitation of erudition extended into his biblical scholarship, in which the references to manuscript evidence and relevant passages from classical and biblical texts are used in both the construction and deconstruction of authority.[74] This is true again of *Nazarenus*; the manuscript discovered by Toland and its critical analysis ultimately proved to be a cover for the fabrication of authenticity for a text which challenged basic Christian tenets by arguing for the shared origins of Christianity, Judaism, and Islam.[75]

What then did Toland seek to achieve in *Cicero illustratus* as an editor of Cicero, for which an enhanced editorial authority might prove useful? Toland's repeated aim for the edition of Cicero's works is the rehabilitation of Cicero. He argues that Cicero's reputation has been eroded over the years through a combination of unimaginative educational practices, the ramifications of public officials and lawyers attempting to associate themselves with Cicero despite in no way sharing his qualities, and the damage done to the Ciceronian texts by the scholars themselves. Toland declares in the opening passages of *Cicero illustratus* that Cicero has been so diminished by these factors that 'nevertheless I am safely able to assert, that this same *Cicero* is nearly unknown to not a few in this literary world; even if no man's name, doubtless, is heard more often on the lips of all – and that most deservedly'.[76] This restoration of Cicero must take place:

> There are none who sometimes judge Cicero more stupidly than those from whose hands he should never be shaken out neither by day or at night (following your example, if they are wise); I mean men who are noble by reason of the splendour of their birth and their political knowledge. Perhaps

[73] See, in particular, Champion, *Republican Learning* (n. 2 above), pp. 93-115; Worden, *Roundhead Reputations* (n. 69 above), pp. 86-121; P. Lindenbaum, 'Rematerializing Milton', *Publishing History*, 41, 1997, pp. 5-22; N. von Maltzahn, 'The Whig Milton, 1667-1700', in *Milton and Republicanism*, ed. D. Armitage et al., Cambridge, 1995, pp. 229-53.

[74] This is an interpretation of Toland's biblical scholarship particularly championed by Justin Champion; see John Toland, *Nazarenus*, ed. J. Champion, Oxford, 1999, pp. 53-67, and Champion, *Republican Learning* (n. 2 above), pp. 190-212.

[75] This is the theory which has been established by Champion, in his edition of Toland's *Nazarenus*, (n. 74 above), pp. 53-67.

[76] Toland, *Cicero illustratus* (n. 1 above), p. 11: 'tuto nihilosecius asseverare possum, eundem hunc *Ciceronem* non paucis in ipso orbe Literario pene ignotum esse; etiamsi nullius profecto nomen, idque meritissimo, in omnium ore frequentius versetur'.

> they are afraid lest he is some petty and affected trader of words, lest they enter into a fellowship with an unequal man or a man of lower station; but let them come to a more appropriate view, taught better as much by us as by the facts themselves.[77]

It is for this reason that Toland professes to be undertaking this project, pledging that he 'should be careful to render his works more beneficial and convenient to use for those for whose benefit they were composed', namely all men who assume public office.[78] Toland sought to fashion himself as Cicero's rescuer, as the man capable of editing and presenting Cicero and his works in such a way as to restore their importance to contemporary culture, particularly as resources for the education of young men undertaking political careers.

Returning to Toland's handling of his canon of Ciceronian spuria, it becomes apparent that this discussion was less about the texts themselves, and more about the consequences for Toland's own position as editor. The canon he created served no purpose in terms of shaping the character or understanding of Cicero himself; there is little consistency among the works regarding their portrayal of Cicero, and there is no overarching contribution to the reading of Cicero from this group of works. Their value, therefore, lies in the opportunity presented for Toland to exercise his scholarly muscles, to discuss textual scholarship and to demonstrate a sympathy for the relative 'Ciceronian-ness' of a work, and thereby to establish himself as a man capable of completing the editorial challenge he had set himself. In shaping this canon of Ciceronian spuria, Toland is asserting his ability to shape the broader Ciceronian canon to serve the restorative purpose outlined above; as with the Republicans, Toland sought to establish himself as an arbiter of Cicero.

Conclusion

When in *Cicero illustratus* Toland addressed the issue of the surviving Ciceronian spuria in the context of his editorial endeavour, he confronted two fundamental questions: which spurious works should he include, and how would he justify his decision? In examining how Toland answered these questions, the modern scholar is provided with a resource which provides a valuable account of the spurious works still present in the Ciceronian tradition in the early eighteenth century, which illuminates the scholarly standards determining textual authority at that time, and, finally, which further unveils the way in which Toland engaged with these issues of scholarship and authority. The spurious canon itself reveals the works whose authorship was still a point of debate among Ciceronian scholars, the works whose

[77] Ibid., pp. 16-17: 'Non insulsius aliquando de Cicerone ferunt ulli judicium, quam illi e quorum manibus (tuum, si sapiunt, sequuturi exemplum) neque interdiu neque noctu excuti debuit; viros intelligo natalium splendore et civili scientia nobiles. Ne pedaneus aliquis et calamistratus sit verborum propola, ne cum dispari aut inferioris sortis homine consortium ineant, forsan verentur: sed tam a nobis, quam re ipsa melius edocti, dignius sentiant'.

[78] Ibid., p. 20: 'eadem commodiora prorsus et utiliora iis, in quorum gratiam conscripta sunt, officiosus reddam'.

legitimacy was broadly doubted yet remained present in the tradition, and a series of works which whose place in the Ciceronian tradition was so tenuous that today they would be unfamiliar to many a scholar. These works may provide little of use about Cicero himself, but they do facilitate a greater understanding of the values and practices of Ciceronian scholarship throughout the age of the early printed book.

This insight into Ciceronian scholarship is made possible by Toland's attempts to justify his editorial decisions regarding the spurious works. Toland's use of a combination of their textual history and their contribution to the Ciceronian corpus to explain their proposed presence in his edition reveals him invoking the values of scholarship to endorse the authority of these works. By comparing this endeavour to Toland's editorial practice elsewhere, particularly his editions of the English Republican works, the purpose of Toland's engagement with the evaluation of these texts becomes clear. The acts of scholarly arbitration required by the discussion of Ciceronian spuria in *Cicero illustratus* endorsed Toland as a capable editor of those works. The construction of editorial authority of which this formed part was vital if Toland was to achieve his stated aims, namely the rehabilitation of Cicero. This chapter of *Cicero illustratus* therefore serves as a demonstration that at the beginning of the eighteenth century demonstrations of scholarly authority had not yet yielded entirely to authenticity as the determining force when deciding the fate of a spurious work.